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SEP 02 2008

In re Application of :
Bradbury, et al. : DECISION ON PETITION
Application No. 09/856,907 :
Filed: May 29, 2001 :
Docket No.: DSP/HB/07.01US :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed August 8, 2008.

This application was held abandoned for failure to timely submit a proper reply to the final Office action mailed December 12, 2007. The final Office action set a three month shortened statutory period of time for reply. Notice of Abandonment June 27, 2008.

Petitioners assert that a response to the final Office action was timely submitted on April 11, 2008 and have provided as proof of submission and proof of USPTO receipt of the response a copy of an Auto-Reply Facsimile dated April 11, 2008. The reply consisted of a request for continued examination (RCE), submission, and petition for one month extension of time, all of which bore a certificate of facsimile date of April 11, 2008 in accordance with 37 CFR 1.8.

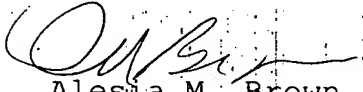
The original response filed April 11, 2008 has not been located in the application file. However, in view of the evidence thereof, the petition to withdraw the holding of abandonment is hereby **GRANTED**.

The Notice of Abandonment is hereby **VACATED** and the holding of abandonment is **WITHDRAWN**.

The copy of the reply submitted herewith will be used for examination.

The application file is being forwarded to the Technology Center 1600 for further processing of the response (RCE and submission) received April 11, 2008.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in dark ink, appearing to read 'Alesia M. Brown', is written over the typed name.

Alesia M. Brown
Petitions Attorney
Office of Petitions